

371 application of PCT Application No. US97/08157, filed April 24, 1997, which claims priority to US Provisional Application Serial No. 60/016,642, filed April 25, 1996.

REMARKS

Applicant previously responded to this matter on 7/31/2005, but did so under an incorrect Serial No. (No. 10/656.535). The 10/656,535 Serial No. was also assigned to this matter, incorrectly, by the Office. This matter should be corrected. In addition, the petition for extension made herewith should not be needed, but is made in any event.

Claims 47 to 50 and newly added claim 55 are pending, claims 51 to 54 having been canceled. The Examiner rejected claims 47 to 50 under Section 102(e) as being anticipated by Okano, which the Examiner has discussed on page 2 of the Office Action. Okano does not disclose any of the following, as recited in amended claim 47:

several discrete hydrophilic regions on a planar surface, the hydrophilic regions being separated from other hydrophilic regions by a hydrophobic region, wherein the hydrophilic regions are designed to accommodate a chip having a hydrophilic surface and a surface opposed thereto with an array of particles deposited thereon

That is, there are not “several discrete hydrophilic regions on a planar surface ... separated from other hydrophilic regions by a hydrophobic region,” as, at most, there is only one hydrophilic region and one hydrophobic region in Okano. Also, the hydrophilic region in Okano is not “on a planar surface” but rather, is an angled perimeter sloping towards a planar surface. And, moreover, the sloping hydrophilic regions in Okano are not “designed to accommodate a chip,” and such a chip (as in the claim) is not mentioned or suggested therein.

Claims 47 to 54 were rejected under Section 102(e) as being anticipated by Wagner et al., which the Examiner has discussed on page 3 of the Office Action. Wagner does not disclose that the “hydrophilic regions are designed to accommodate a chip

having a hydrophilic surface and a surface opposed thereto with an array of particles deposited thereon ..." as in claim 47. No such chip is discussed in Wagner, which relates to a silicon substrate with patches thereon on which proteins may be immobilized.

In conclusion, all rejections have been overcome, and allowance is respectfully requested.

Respectfully Submitted,

BY:

Eric P. Mirabel
Reg. No. 31,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(908) 226 8200 (ext 203)

The Commissioner is hereby authorized to charge any fees due in connection with this submission and not otherwise covered by payment included herewith, or to credit any overpayment, to Deposit Account No. 502088.